

ROUTING SLIP  
CONTRACTS AND AGREEMENTS

Originating Department: Community Development Council Meeting Date: 9/27/2012

Department Contact: Ken Benion Phone # 256-427-5427

Contract or Agreement: CONTRACT

Document Name: MODIFICATION #1

City Obligation Amount:

Total Project Budget:

Uncommitted Account Balance:



Account Number:

**Procurement Agreements**

<u>Select...</u>	<u>Select...</u>
------------------	------------------

**Grant-Funded Agreements**

<b>Federal HUD</b>	<b>Grant Name:</b> <u>COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS</u>
--------------------	--

Department	Signature	Date
1) Originating		<u>9/14/12</u>
2) Legal	<u>Mary C. Coker</u>	<u>9/18/12</u>
3) Finance		<u>9/7</u>
4) Originating		
5) Copy Distribution		
a. Mayor's office (2 copies)		
b. Clerk-Treasurer (Original & 2 copies)		
c. Legal (1 copy)		

## CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number \_\_\_\_\_

Meeting Type: Regular

Meeting Date: 9/27/2012

Action Requested By:  
Community  
Development

Agenda Item Type  
Resolution

Subject Matter:

Modification #1 of Agreement between the City of Huntsville and Habitat for Humanity of Madison County.

Exact Wording for the Agenda:

Resolution authorizing the Mayor to modify contract with Habitat for Humanity for the use of Community Housing Development Operating (CHDO) funds.

**Note: If amendment, please state title and number of the original**

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

Modification will allow Habitat for Humanity to receive CHDO Operating funds in the amount of \$32,883 from the City of Huntsville HUD HOME allocation.

Associated Cost: 0

Budgeted Item: Yes

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 9/19/12

**RESOLUTION NO. 12-\_\_\_\_\_**

**WHEREAS**, the City of Huntsville, Alabama, and Habitat for Humanity of Madison County, Inc. have previously entered into an Agreement for the disbursement of grant funds provided under Home Investment Partnership Funds for Affordable Housing, from the U.S. Department of Housing and Urban Development (HUD), with the said Agreement adopted and approved by Resolution No. 2012-653 of the City Council of the City of Huntsville; and

**WHEREAS**, the parties desire to modify the said Agreement;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Huntsville, Alabama, that the Mayor of the City of Huntsville is hereby authorized, requested and directed to enter into Modification No. 1 to the Agreement between the City of Huntsville, Alabama and Habitat for Humanity of Madison County, Inc., as adopted by Resolution No. 12-653 on July 26, 2012, said modification being substantially similar in words and figures to that document identified as "MODIFICATION No. 1 TO AGREEMENT BETWEEN HABITAT FOR HUMANITY OF MADISON COUNTY, INC. AND THE CITY OF HUNTSVILLE, ALABAMA FOR THE USE OF HOME INVESTMENT PARTNERSHIP FUNDS FOR AFFORDABLE HOUSING AS ADOPTED AND APPROVED BY RESOLUTION NO. 2012-653 OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE" consisting of two (2) pages, with the signature of the Council President or President Pro tem, and the date September 27, 2012, appearing on the margin of the first page, together with the signature of the President or President Pro Tem of the City Council, an executed copy of said document being permanently kept on file in the Office of the City Clerk-Treasurer of the City of Huntsville.

**ADOPTED** this the 27th day of September, 2012.

\_\_\_\_\_  
President of the City Council of  
the City of Huntsville, Alabama

**APPROVED** this the 27th day of September, 2012.

\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama

STATE OF ALABAMA     )  
COUNTY OF MADISON     )

**MODIFICATION No. 1 TO  
AGREEMENT BETWEEN HABITAT  
FOR HUMANITY OF MADISON  
COUNTY, INC. AND THE CITY OF  
HUNTSVILLE, ALABAMA FOR  
THE USE OF HOME INVESTMENT  
PARTNERSHIP FUNDS FOR  
AFFORDABLE HOUSING AS  
ADOPTED AND APPROVED BY  
RESOLUTION NO. 2012-653 OF  
THE CITY COUNCIL OF THE CITY  
OF HUNTSVILLE**

**CONTRACT MODIFICATION NO. 1**

THIS MODIFICATION No. 1 IS MADE TO THE AGREEMENT entitled "AGREEMENT BETWEEN HABITAT FOR HUMANITY OF MADISON COUNTY, INC. AND THE CITY OF HUNTSVILLE, ALABAMA FOR THE USE OF HOME INVESTMENT PARTNERSHIP FUNDS FOR AFFORDABLE HOUSING" as referenced above and is entered into on this the 27th day of September, 2012, by and between the CITY OF HUNTSVILLE, Alabama (City) and HABITAT FOR HUMANITY OF MADISON COUNTY, INC., an Alabama non-profit corporation, (Agency).

**WITNESSETH**

**WHEREAS**, the City has previously received funds from a Home Investment Partnership Funds for Affordable Housing Grant from the United States Department of Housing and Urban Development (HUD); and

**WHEREAS**, the City and the Agency have previously entered into an Agreement wherein the City agreed to pass along a portion of the said grant funds to the Agency in accordance with the terms and conditions of the said grant; and

**WHEREAS**, the said Agreement was adopted and approved by the City Council of the City of Huntsville pursuant to Resolution No. 2012-653 on July 26, 2012; and

**WHEREAS**, the City and the Agency desire to amend the said Agreement to include additional language regarding the expenditure of the said grant funds;

---

**President of the City Council of the  
City of Huntsville, Alabama  
Date: September 27, 2012**

**NOW THEREFORE**, in consideration of the mutual promises and covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree to modify the Agreement as follows:

1. Add the following as Part 1, Section X of the Agreement:

Operating Costs. Provide CHDO Operating funds for eligible operating expense such as salaries/ benefits, rent/mortgage, utilities and any other HUD approved operating expense related to this project. The City will provide a maximum of **\$32,883.00** in HOME funds.

2. All other terms and conditions of the Agreement remain unchanged and in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have entered into this agreement, consisting of this page and one (1) preceding page, on September 27, 2012.

**THE CITY OF HUNTSVILLE, ALABAMA**

**ATTESTED:**

By: \_\_\_\_\_

By: \_\_\_\_\_  
Mayor Tommy Battle

Date: \_\_\_\_\_

**Habitat for Humanity of Madison County  
An Alabama Non-Profit Corporation**

**ATTESTED:**

By: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

Its: \_\_\_\_\_